

Application No. 09/775,083
Paper Dated: January 6, 2005
In Reply to USPTO dated December 7, 2004
Attorney Docket No. 218-010137

2876
JFW

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application No. : 09/775,083 Confirmation No. : 6320
Applicant : **Fred SMITH**
Filed : February 1, 2001
Title : **COMBINATION FUEL DISPENSING AND LOTTERY
TICKET DISPENSING METHOD AND APPARATUS**
Group Art Unit : 2876
Examiner : Seung H. Lee
Customer No. : 28289

**LETTER RESPONSE TO OFFICE
COMMUNICATION OF DECEMBER 7, 2004**

MS AMENDMENT
Commissioner for Patents
P. O. Box 1450
Alexandria, VA 22313-1450

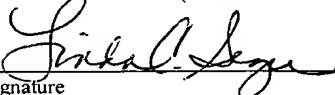
Sir:

On December 7, 2004, an Office Communication concerning the above-referenced application was received. In particular, this Communication asked that Applicant submit a statement in a separate page alleging that there is a basis upon which application is entitled to a judging relative to the patentee, and that such a statement is necessary in order to

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to the Commissioner for Patents, Alexandria, VA 22313-1450 on January 6, 2005

Linda C. Seger

(Name of Person Mailing Paper)


Signature

01/06/2005

Date

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invoke an interference procedure. On January 4, 2005, the undersigned contacted Supervisory Patent Examiner Michael G. Lee regarding previous attempts to satisfy this requirement. Specifically, on November 22, 2004, a Statement of Basis for Interference was filed as a separate paper, which the undersigned believed, at that time, satisfied the "separate page" requirement. The undersigned was further informed that Examiner Lee would look into this matter and respond accordingly. Therefore, this responsive Letter serves to toll Applicant's response time to the Communication.

The undersigned would like to thank the Supervisor Patent Examiner for the courtesies extended in that telephone call. If the Examiner requires any further statements or filings in this matter in order to appropriately invoke the interference proceeding, please contact the undersigned in due course.

Respectfully submitted,

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By 

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